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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,681	06/20/2001	Roger Kahn	4033/2A	6364
29858	7590	06/29/2006	EXAMINER	
BROWN, RAYSMAN, MILLSTEIN, FELDER & STEINER LLP 900 THIRD AVENUE NEW YORK, NY 10022			LU, KUEN S	
			ART UNIT	PAPER NUMBER
			2167	
DATE MAILED: 06/29/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/885,681	Applicant(s) KAHN ET AL.	
	Examiner Kuen S. Lu	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/03/2001</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to Applicant's petition filed April 14, 2005 and granted May 9, 2006.

Drawings

2. The drawings received on June 20, 2001 are accepted.

Information Disclosure Statement

3. The information disclosure statement filed December 3, 2001 is considered and its PTO-1449 is signed and attached.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al. (U.S. Patent 6,247,032) and further in view of Freivald et al. (U.S. Patent 6,012,087, hereafter "Freivald") and Dan et al. (U.S. Patent 6,560,639, hereafter "Dan").

As per claims 1, 15 and 24, Bernardo teaches the following:

"a template engine for executing templates to generate a content page" (See col. 2, lines 56-62 where a tool is provided for facilitating the creation of Web pages with templates for predefined Web pages), and

"the template engine operative to generate a content page comprising content items selectively retrieved from a data source and arranged on the content page as defined by the template" (See col. 6, lines 4-8 where where templates comprise databases which may include fields, forms, views, texts and profiles and profiles may comprise fields).

Bernardo does not explicitly teach the content items retrieved and as arranged on the content page are such that "each content item in the data source being associated with time stamp information to indicate the last time the content item was modified".

However, Freivald teaches a dynamic web page with HTML header specifies the length of the page and the time/date when the web page was lastly modified (See Fig. 4 and col. 3, lines 16-25).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Freivald's teaching with Bernardo reference by enhancing Bernardo's Web page creating tool with functionality of recording timestamp when the content item was lastly modified because both references are directed to managing web page changes and the combined teaching of the two references would have enabled Bernardo's system to apply Freivald's accurate detection and recording timestamp of change for further improving security features and facilitating web page creation.

The combined teaching of Freivald and Bernardo references does not explicitly teach “a dependency record for storing information regarding a relationship between content items that comprise the content page and the content items stored in the data source”.

However, Dan teaches “a dependency record for storing information regarding a relationship between content items that comprise the content page and the content items stored in the data source” (See col. 2, lines 59-67 where web page and attributes are stored in database in hierarchical structure).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Dan's teaching with Freivald and Bernardo references by specifically storing web page and its attributes into database because the three references are directed to managing media content change and the combined teaching of the references would have allowed users on internet to flexibly design and manage web sites from simple to complex and database-driven.

The combined teaching of Dan, Freivald and Bernardo references further teaches “dependency checking software for comparing information contained in the dependency record with time stamp information contained in the data source for each content item that comprises the content page” (See Dan: See col. 2, lines 59-67 where web page and attributes are stored in database in hierarchical structure, Freivald: Fig. 4, col. 3, lines 15-25 where timestamp of last modification is kept in page header), “determining through the comparison those content pages that contain content items that have been modified in the data source” (See Freivald: Fig. 8B and col. 9, line 61 – col. 10, line 2 where timestamp in page header from document and database are compared to

determine indication of changes) and “instructing the template engine to re-generate a content page that contains modified content items” (See Dan: col. 4, lines 56-58 where a utility regenerates static web pages).

As per claim 2, Dan further teaches “a plurality of dependency records are used to store the relationship between the content items that comprises the content page and the content items stored in the data source” (See col. 2, lines 59-67 where web page and attributes are stored in database in hierarchical structure).

As per claims 3 and 21, Bernardo teaches “the content page generated by the template engine comprises markup code” (See col. 6, lines 10-13 where HTML formatting components for Web page in the template is included).

As per claims 4 and 22, Bernardo teaches “the markup code is HTML” (See col. 6, lines 10-13 where HTML formatting components for Web page in the template is included).

As per claims 5 and 23, Dan further teaches “the markup code is XML” (See col. 20, lines 25-31 where XML markup language is applied to template data format).

As per claims 6 and 16, Dan further teaches “the dependency record contains parameters comprising name/value pairs of the information that are passed to the

template engine to generate the content page" (See col. 22, lines 61-64 where group/setting is a name/value pair).

As per claims 7 and 17, Dan further teaches "the dependency record comprises the address within the data source of the content items that comprise the content page" (See Fig. 12 and col. 17, lines 36-64 where items are positioned in the content page layouts).

As per claims 8 and 18, Freivald further teaches "the dependency record comprises queries executed by the template engine to retrieve content items from the data source" (See col. 14, lines 21-29 where document is fetched and content header length is retrieved from the fetched document).

As per claims 9 and 19, Dan further teaches "the dependency record comprises sub-template scripts used by the template engine to generate a content page" (See col. 10, lines 4-9 where web page is notated by a script language).

As per claim 10, Dan further teaches "the dependency record comprises the time the content page was generated" (See col. 3, lines 1-6 where content page is generated and stored in a file system in which time of creation is an attribute to a file).

As per claim 11, Dan further teaches “the dependency record comprises the date the content page was generated” (See col. 3, lines 1-6 where content page is generated and stored in a file system in which time of creation is an attribute to a file).

As per claim 12, the combined teaching of Dan, Freivald and Bernardo references further teaches “content management software to manage content items and operative to issue instructions to the dependency checking software to regenerate a content page upon modification of a managed content item” (See Freivald: col. 3, line 64 – col. 4, line 7 where web page change is automatically detected, Dan: col. 10, lines 4-9 where web page is generated by a script language).

As per claim 13, the combined teaching of Dan, Freivald and Bernardo references further teaches “the content management software operative to issue instructions to the dependency checking software to re-generate a content page upon modification of a template” (See Freivald: col. 3, line 64 – col. 4, line 7 where web page change is automatically detected, Dan: col. 4, lines 56-58 where web page is regenerated).

As per claim 14, Dan further teaches “one or more dependency records to store information regarding the relationship between a template and the content items that comprise the content page” (See col. 2, lines 59-67 where web page and attributes are stored in database in hierarchical structure).

As per claim 20, Dan further teaches "publishing the content page generated by the template engine to a disk" (See col. 2, lines 59-67 where web page and attributes are stored in database in hierarchical structure).

6. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Freivald et al. (U.S. Patent 6,012,087, hereafter "Freivald") and in view of Dan et al. (U.S. Patent 6,560,639, hereafter "Dan").

As per claim 25, Freivald teaches "determining when a content page contains content items that are out of date" (See Abstract where web page changes are detected).

Freivald does not explicitly teach "the content page generated by instructions contained in a template that identifies content items stored in a data source for inclusion in the content page".

However, Dan teaches generating web page and web page and attributes are stored in database in hierarchical structure at col. 3, lines 1-6 and col. 2, lines 59-67.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Dan's teaching with Freivald reference by specifically storing web page and its attributes into database because the three references are directed to managing media content change and the combined teaching of the references would have allowed users on internet to flexibly design and manage web sites from simple to complex and database-driven.

The combined teaching of Dan and Freivald references further teaches the following:

“storing one or more dependency records to capture a relationship between content items that comprise the content page, the template used to generate the content page, and the content items stored in the data source” (See Dan: col. 2, lines 59-67 where web page and attributes are stored in database in hierarchical structure);

“comparing the data contained in the dependency records with data contained in the data source to determine if the content page is out of date” (See Freivald: Fig. 8B and col. 9, line 61 – col. 10, line 2 where timestamp in page header from document and database are compared to determine indication of changes); and

“regenerating the content page where the comparison step determines that the content page contains modified content items” (See Dan: col. 4, lines 56-58 where a utility regenerates static web pages).

Conclusions

7. The prior art made of record

A. U.S. Patent 6,247,032

B. U.S. Patent 6,012,087

C. U.S. Patent 6,560,639

The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

D. U.S. Patent 6,615,235

E. U.S. Patent 6,484,149

Contact information

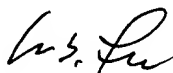
8. Any inquiry concerning this communication or earlier communications from the

Art Unit: 2167

examiner should be directed to Kuen S Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm). If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

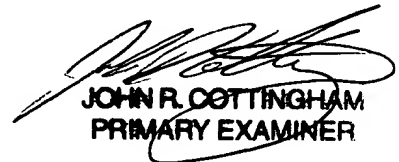
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Kuen S. Lu



Patent Examiner

May 16, 2006



JOHN R. COTTINGHAM
PRIMARY EXAMINER

